

In the Court of the Sessions Judge, Garhwa.
Bail Petition No. - 234 of 2026
CNR-JHGW01-002178 -2026

Chhotu Kumar.

..... Petitioner.

Vrs.

The State of Jharkhand

..... Opp. Party.

For the petitioner :- Md. Abdul Aziz, Adv.

For the State :- Sri Umesh Dixit, P.P.

ORDER.

17.08.2026

Application for grant of bail has been filed by the petitioner *Chhotu Kumar*, who is in custody since 19.07.2026 in connection with Bardiha P.S. Case No.- 44/2026 registered for the offence punishable u/s 87 and 137(2) of BNS.

It is stated that the petitioner has not moved this court or the Hon'ble High Court in this matter prior to this application.

Prosecution case as per the FIR registered on the basis of the written information given by the informant Sunil Kumar Rajak, is that the informant alleges that his daughter Ragini Kumari aged about 17 years was induced by the accused Chhotu Kumar aged about 20 years on 14.07.2026 to accompany him for the purpose of marriage. He says that his daughter is minor and has been induced by the accused to solemnize marriage and that she was traceless from the date of lodging of the FIR which was lodged on 17.07.2026. With these allegations the case was

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registered.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is stated that the petitioner is in judicial custody since 19.07.2026 i.e. since last four weeks. The entire allegations are false and baseless. It is stated that the informant is ready to compromise the case with the petitioner. It is also important to mention that a joint compromise petition has been filed by the accused as well as the informant wherein it is stated that the victim on her own volition had left her parental home and had gone to her mausi's house and has voluntarily returned on 19.07.2024. It is also mentioned that there is no role of the accused in missing of the victim. Considering these facts, prayer is made to allow the application for grant of bail.

Learned P.P. opposes the prayer for grant of bail and submits that called for case diary has been received. Statement of the witnesses supports the case of the prosecution. At para 6 statement of the witness Babulal Kumar Rajak has been recorded. Statement of Gita Devi has also been recorded, who has supported the case of the prosecution. Reference is made to para 40 of the case diary where statement of the victim was recorded and statement

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of the victim was also recorded u/s 183 of BNSS. The mark-sheet issued by the Jharkhand Academic Council, Ranchi shows the date of birth of the victim to be 01.01.2009. Thus, on the date of the occurrence she was more than 17 years of age. In her statement u/s 180 of BNSS she is stated to have voluntarily left her parental home and subsequently after reaching Daltonganj called the accused to accompany her and compelled the accused to come to Mohammadganj by train where she has alleged to have solemnized marriage with the accused. However statement u/s 183 of BNSS is also there wherein she has stated that she has voluntarily left her house without the accused and has gone to Agra and has voluntarily returned whereafter the police got her statement recorded. The medical examination report is also there showing no incriminating material. Prayer is made to reject the application for grant of bail.

Heard the parties and perused the record. Looking into the facts of the case and period of custody accompanied by the fact that the victim in her statement u/s 183 of BNSS has not corroborated the prosecution story, this court is inclined to allow the application for grant of bail. Prayer for grant of bail is allowed. Petitioner *Chhotu Kumar* shall be released on bail, on furnishing bail bond of Rs.20,000/-(Twenty

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thousand) with two sureties of the like amount each to the satisfaction of the learned trial court with condition that the petitioner and his bailors will furnish their contact number and photocopy of the Adhar Card before the court with undertaking that they will not change their contact number during pendency of the case without prior permission of the court.

(Dictated)

Sd/-

(Manoj Prasad)

Sessions Judge,
Garhwa.

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